

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES of AMERICA, )  
                                  )  
                                  )  
Petitioner,                   )  
                                  )  
                                  )  
v.                             ) Civil Action No. 8:07CV344  
                                  )  
                                  )  
KENNETH KOHMETSCHER AS A )  
MEMBER OF KEN'S CONSTRUCTION )  
LLC,                           )  
                                  )  
                                  )  
Respondent.                   )

**ORDER TO SHOW CAUSE**

Upon the petition of the United States of America to enforce an Internal Revenue Service summons, and the attachments thereto,

IT IS ORDERED that a copy of this order, together with the petition and attachments thereto, be served on the respondent and that such service be made pursuant to Rule 4.1 of the Federal Rules of Civil Procedure, to include service by an official of the Internal Revenue Service specially appointed herein by the Court for that purpose.

IT IS FURTHER ORDERED within twenty (20) days after service of this order, the respondent shall file and serve a written response to the petition. If the respondent has defenses to present or motion to make in opposition to the petition, such defenses or motions shall be made in writing and filed with the Court, and copies served on the United States Attorney. Only those issues raised by motion or responsive pleading shall

be considered by the Court. Any uncontested allegations in the petition shall be deemed admitted.

**IT IS FURTHER ORDERED** that, in the event no written response to the petition is filed and served in accordance with this order, or in the event responses filed do not deny or controvert the allegations of the petition, the allegations in the petition will be deemed admitted, and an order will be entered compelling the respondent to comply with the summons described in the petition.

**IT IS FURTHER ORDERED** that, in the event the respondent files a written response pursuant to this order which denies or controverts allegations of the petition, the respondent shall appear before the United States District Court for the District of Nebraska in Omaha, Nebraska, on the 5<sup>th</sup> day of October, 2007, at 9:00 a.m., at Courtroom 3, to show cause why the respondent should not be compelled to comply with the Internal Revenue Service summons served on February 20, 2007.

Entered this 4<sup>th</sup> day of September, 2007.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief District Court Judge